IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 14314 of 1994

Between:

1. Smt Adusmilli Navaratna Sikhamani W/o.late A.Sitaramaiah,
   R/o. Kolavenu(V), Kankipadu (M) Vijayawada, Krishna District.
2. Anna Satyavathi W/o late A. Koteswara Rao. (Died)
3. Muppavarapu Jayaprada, w/o. late M.Venkateswara Rao,
   R/o Vijayawada, Krishna District.
4. Bogineni Suryanarayana, S/o. Raghavaiah,
   R/o.Vijayawada, Krishna District.
5. Maddukuri Nirmal Rao, S/o. Venkata Subbaiah,
   R/o.Vijayawada, Krishna District.
6. Smt. Parchuri Subhasini, W/o. P.Srinivasa Rao,
   R/o. Kolaveni(V), Kankipadu (M) Vijayawada, Krishna District.

Petitioner No.6 is brought on record as LR of the deceased Petitioner No.2 as per court order dt.23.10.2000 in W.P.M.P.NO.24814/2000.

.... PETITIONERS

AND

1. The Special Deputy Collector, Land Acquisition (General)
Station Road, Nampally, Hyderabad.
2. The State of Andhra Pradesh through its Secretary
Revenue (Land Acquistition) Department, Secretariat, Hyderabad.
3.The Defence Estate Officer,A. P. Circle CourtCompound,Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate Writ or Writs, order or direction, declaring the action of the 1st respondent in not awarding the interest in the Award Procs.No.k/2136/90 dt.19-5-94 on his file as illegal and arbitrary by directing the 1st respondent to award interest of 9% for the first year from the date of taking possession i.e.10.11.1978 and 15% thereafter till the date of payment on the compensation awarded including solatium and 12% Additional Market Value by passing supplementary award with regard to land of the petitioners acquired under the provisions of the Land acquisition act in Sy.No.140/2; 142/4 totally admeasuring 9 Acres 6 guntas situated at Karmanghat (V) Saroornagar (M), R.R.District; award costs.

Counsel for the Petitioners: MR. K. RAGHUVEER REDDY

Counsel for the Respondent Nos.1 & 2: GP FOR REVENUE

Counsel for the Respondent No.3: MR. B. ADINARAYANA RAO, S.C. for Central Government.

The Court made the following:

ORDER:

-

Heard both sides.

In this writ petition, the only grievance of the petitioners is that inspite of the fact that the petitioners are entitled to interest as contemplated under law and the same is not being paid to them, having regard to the acquisition made by the respondent herein.

It is submitted across the Bar that the question involved in the writ petition is no longer *res integra* and this Court has already allowed a similar Writ Petition No.13139 of 1994 as per order-dated 19.12.1997.

Following the same, the writ petition is accordingly allowed directing the respondents herein to pay interest at 9% per annum for the first year commencing from 10.11.1978 and thereafter at 15%per annum till the date of payment as per law within a period of eight weeks from the date of receipt of a copy of this order.

_____

22-07-2004

Glv/KA

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this the Thursday the Twenty second day of July Two thousand and Four.

ASSISTANT REGISTRAR

To

1. The Special Deputy Collector, Land Acquisition (General)
Station Road, Nampally, Hyderabad.
2. The State of Andhra Pradesh through its Secretary
Revenue (Land Acquistition) Department, Secretariat, Hyderabad.
3.The Defence Estate Officer,A. P. Circle CourtCompound,Secunderabad.

4. Two C.Cs. to the GovernmentPleader for Revenue, High Court
Buildings, Hyderabad (O.U.T)

5. Two C.D copies.